



U.S. Department of Justice

United States Attorney
Eastern District of New York

BWB
F.#2010RO172

271 Cadman Plaza East
Brooklyn, New York 11201

June 7, 2011

By Email and ECF

Deborah Colson, Esq.
Colson & Harris LLP
10 E. 40th Street, Suite 3307
New York, N.Y. 10016

Re: United States v. Mohammed Wali Zazi
Criminal Docket No. 10-60 (S-1) (JG)

Dear Ms. Colson:

In your March 18, 2011 motion you moved to suppress two children's backpacks that were recovered from the defendant's home on February 1, 2010. After further review, the government does not intend to introduce the backpacks as evidence at trial. Accordingly, a suppression hearing concerning the recovery of the backpacks is unnecessary. The government reserves the right to use the backpacks at trial as impeachment evidence, to refresh a witness's recollection or at sentencing. See Walder v. United States, 347 U.S. 62, 65-66 (1954); United States v. Tejada, 956 F.2d 1256, 1262-63 (2d Cir. 1992); United States v. Kusek, 844 F.2d 942, 949 (2d Cir. 1988).

If you have any questions, please do not hesitate to contact us.

Very truly yours,

LORETTA E. LYNCH
UNITED STATES ATTORNEY

By: /s/
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cc: Clerk of the Court (JG)(via ECF)